
STATUTORY INSTRUMENTS

2017 No. 859

**The Investigatory Powers Act 2016
(Commencement No. 3 and Transitory, Transitional
and Saving Provisions) Regulations 2017**

PART 2

Investigatory Powers Commissioner: transitory, transitional and saving provisions

**Transitory provisions regarding functions of the Interception of Communications
Commissioner**

4. From 1st September 2017 until the repeal of Chapter 1 of Part 1 of RIPA by paragraph 45 of Schedule 10 to the 2016 Act is fully in force, the references to the Interception of Communications Commissioner in sections 1(1A) (unlawful interception), 12(11)(c) (maintenance of interception capability)(1), 15(4)(c) (general safeguards) and 19(9) (offence for unauthorised disclosures)(2) of, and paragraph 1 of Schedule A1 to, RIPA are to be read as references to the Investigatory Powers Commissioner(3).

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- (1) Section 12 was amended by section 4(1), (6) and (7) of the Data Retention and Investigatory Powers Act 2014 (c. 27). The amendments are saved by paragraph 9 of Schedule 9 to the 2016 Act.
- (2) Section 19 was amended by paragraphs 131 and 134 of Schedule 4 to the Serious Organised Crime and Police Act 2005, paragraphs 77 and 80 of Schedule 8 to the Crime and Courts Act 2013, and [S.I. 2007/1098](#) and [2013/602](#).
- (3) The Investigatory Powers Commissioner is defined for the purposes of RIPA by section 31(1) of that Act. Section 31(1) of RIPA was amended by paragraph 94 of Schedule 10 to the 2016 Act, which is brought into force by these Regulations.